

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – District Panchayat Officer & staff – Certain serious and grave administrative irregularities, high handed corruption committed in conversion of (21) labourers of Husnabad Gram Panchayat as full time employees by Sri J. Rajaiah, Junior Assistant, O/o District Panchayat Officer, Karimnagar (u/o Compulsory retirement) – Enhancement of penalty from compulsory retirement to that of removal from service – Orders – Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (VIG.III-A) DEPARTMENT

G.O.Ms.No. 66

Dated:11-2-2010.

Read the following:-

1. From the Commissioner, PR&RE. Hyderabad, ,
Lr.No.29864/CPR.C2/97, Dt.8-11-1998.
2. G.O.Rt.No.1759, PR&RD (E.IX)Dept., dated 23-10-99.
3. G.O.Rt.No.664, PR&RD.(E.IX) Dept., dt. 18-5-2000.
4. Govt.Memo.No.32/VS/A2/2001-4, dated 4-10-2001.
5. Procs. Of the DPO, Karimnagar, Rc.No.A1/853/2002/Pts,
dt. 15-5-2002.
6. From A.P. Administrative Tribunal, Hyderabad orders in
O.A.No.7345 of 2002,dt:14-7-2006.
7. Govt. Memo.No.32/Vig.III-A/2001-33, Dt.6-12-2008.
8. Representation of Sri J. Rajaiah, Jr. Asst. (u/o compulsory
retirement) o/o DPO, Karimnagar, dt.11-2-2009.

ORDER:

It was brought to the notice of Government vide reference 1st read above that certain grave irregularities were committed by Sri J. Rajaiah, Jr. Assistant and 2 others with regard to conversion of 21 labourers of Husnabad Gram Panchayat as full time employees. The Commissioner, PR&RE, Hyderabad has requested the Government to initiate common disciplinary procs. against Sri J.Rajaiah, Jr.Asst., O/o DPO, Karimnagar and Sri K.Komaraiah, Supdt. O/o DPO Warangal and Sri E.Somesh Pamaar, formerly DPO Karimnagar District.

2. In the reference 2nd read above, the three accused officers were kept under suspension from service pending outcome of the disciplinary proceedings initiated against them. Article of charges have been framed against Sri J. Rajaiah, Jr. Asst. and two others calling for their written statement of defence. After receipt of statement of defence submitted by the charged officers it has been decided to conduct a detailed enquiry into the allegations levelled against the 3 charged officers.

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3. Accordingly, in the reference 3rd read above, Sri K.Ramesh Babu, Deputy Commissioner, O/o Commissioner, Panchayat Raj & R.E., Hyderabad has been appointed as enquiry officer under rule 20(2) of Andhra Pradesh Civil Services (CC&A) Rules, 1991 to conduct a detailed enquiry into the allegations leveled against the above said charged officers. The enquiry officer has submitted his report and the same has been communicated to Sri J. Rajaiah, to submit his explanation on the findings of Inquiry Officer.

4. After receipt of representation, Govt. have examined the charges, report of Enquiry Officer and explanation of Sri J. Rajaiah, Jr. Asst. and considered that the irregularity is serious in nature and it has been decided to impose a punishment of compulsory retirement on Sri J. Rajaiah, Junior Assistant under rule 9 of APCS (CCA) Rules, 1991 and issued orders in the reference 4th read above. Accordingly Proceedings were issued vide reference 5th read above by the District Panchayat Officer, Karimnagar compulsorily retiring Sri J. Rajaiah, Jr. Asst. o/o DPO, Karimnagar.

5. Sri J. Rajaiah, has filed O.A.No.7345/02 against the orders of Compulsory retirement issued by the D.P.O., Karimnagar. The DPO Karimnagar filed Counter Affidavit in the APAT. The Hon'ble APAT in its orders dated 14-7-2006 has directed the applicant to approach the concerned authorities to take a decision on the appeal of the applicant and pass appropriate orders within a period of three months thereafter.

6. Sri J. Rajaiah, has submitted his representation and requested to allow his appeal taking into the account of judgment of the Hon'ble APAT and reinstate him into duty as Junior Assistant with all consequential benefits.

7. Government have examined the representation of the individual as per the records and taking into account the Judgement of the Hon'ble A.P.A.T. and found that the services of 21 individuals working in Panchayat establishment of Karimnagar district were wrongfully regularized. This matter had come to light and after due process it was established that the Junior Asst. was the prime mover in the entire case. The facts remain that it is because of the actions of the Junior Asst. that irregular appointments had taken place. If these had not been found out, these 21 individuals would perhaps have continued in service, wrongfully. Government therefore consider that it may not be appropriate to continue in service a person who has been found blatantly and in violation of Government instructions wrongfully appointing persons. Therefore Government, provisionally decided to enhance the penalty from compulsory retirement to that of removal from service under rule 40 of APCS (CCA) Rules, 1991.

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8. Accordingly, a showcause notice was issued to Sri J. Rajaiah vide Govt. Memo.No.32/Vig.III-A/2001-33, Dated:6-12-2008 directing him to submit his written statement of defence on the provisional decision to enhance the penalty from compulsory retirement to that of removal from service under Rule 40 of A.P.C.S. (CCA) Rules, 1991.

9. In the reference 8th read above, Sri J. Rajaiah has submitted his representation denying the allegations against him and requested to grace him with orders of re-instatement duly issued taking with benign sympathy, human concern and compassionate view.

10. Government after careful examination of the representation submitted by Sri J. Rajaiah, have decided to confirm the provisional decision i.e. to enhance the penalty from compulsory retirement to that of removal from service under rule 9 (ix) of APCS (CCA) Rules, 1991.

11. Accordingly, Government hereby enhance the penalty of compulsory retirement awarded against Sri J. Rajaiah Jr. Assistant to that of removal from service under Rule 9(ix) of A.P.C.S. (CC&A) Rules, 1991.

12. The Commissioner, Panchayat Raj and Rural Employment, Hyderabad is requested to take necessary action.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

M.V.P.C. SASTRY,
PRL. SECRETARY TO GOVERNMENT.

To
Sri J. Rajaiah, Jr. Asst. (under orders of compulsory retirement)
o/o D.P.O., Karimnagar District through the Commissioner,
Panchayat Raj and Rural Employment, Hyderabad.
The Commissioner, Panchayat Raj and Rural Employment, Hyderabad.
The District Panchayat Officer, Karimnagar District.
The District Treasury Officer, Karimnagar District.
The Accountant General, A.P., Hyderabad.
SF/SC

//FORWARDED :: BY ORDER //

SECTION OFFICER.